

03-06-00

LIMBACH & LIMBACH L.L.P.  
2001 Ferry Building, San Francisco, CA 94111  
415/433-4150

Address to:

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney's Docket No. SONY-C7751  
[S97P751US00]  
First Named Inventor HISATO SHIMA

UTILITY PATENT APPLICATION TRANSMITTAL  
( under 37 CFR 1.53(b) )

SIR:

Transmitted herewith for filing is the patent application entitled:  
DIGITAL RECORDING APPARATUS AND COPYRIGHT PROTECTION METHOD THEREOF

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date MARCH 3, 2000, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EL254108553US addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

JOHN LYDDAN

(Name of person mailing paper)

(Signature)

Enclosed are:

1. ☒ Transmittal Form (two copies required)
2. The papers required for filing date under CFR § 1.53(b):
  - i. 24 Pages of specification (including claims and abstract);
  - ii. 5 Sheets of drawings.  
☐ formal ☒ informal
3. Declaration or oath
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Item 12 completed)

☒ Incorporation By Reference (to be used if Item 3b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
4. ☐ Microfiche Computer Program (Appendix, see 37 CFR 1.96)
5. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - i. ☐ Computer Readable Copy
  - ii. ☐ Paper Copy (identical to computer copy)
  - iii. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

6. ☐ An assignment of the invention to is attached (including Form PTO-1595).  
☒ The prior application is assigned of record to Sony Corporation;  
Assignment recorded in PTO on January 26, 1998, Reel 8921, Frame(s) 0396.

\_\_\_ The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on .

i. \_\_\_ 37 CFR 3.73(b) Statement (when there is an assignee)

7. X Power of Attorney

8. X An Information Disclosure Statement (IDS) is enclosed.

9. \_\_\_ Preliminary Amendment.

10. X Return Receipt Postcard (MPEP 503 -- should be specifically itemized)

11. \_\_\_ Other

12. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information

X Continuation

\_\_\_ Divisional

\_\_\_ Continuation-In-Part (CIP)

of immediately prior application No. 08/922,862, filed September 3, 1997.

i. **RELATE BACK - 35 USC 120:** If one of the above boxes are checked, please amend the specification by inserting before the first line the sentence: --This is a [XX] continuation [] divisional of Application no. 08/922,862, filed September 3, 1997 .--

[Note to form user: lines for item 12 are intentionally spaced to permit Examiner amendments.]

ii. **MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION**

(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).

[] A petition, fee and response has been filed to extend the term in the pending prior application until .

[] A copy of the petition for extension of time in the prior application is attached.

iii. **CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION**

(Complete this item and file conditional petition in prior application if previous item (ii) not applicable).

[] A conditional petition for extension of time is being filed in the pending prior application.

[] A copy of the conditional petition for extension of time in the prior application is attached.

13. **FOREIGN PRIORITY**

[X] Priority of application no. P08-255464 filed on September 5, 1996 in Japan is claimed under 35 USC 119.

The certified copy of the priority application:

\_\_\_ is filed herewith; or

X has been filed in prior application no. 08/922,862 filed on September 3, 1997, or

\_\_\_ will be provided.

\_\_\_ English Translation Document (if applicable)

#### 14. FEE CALCULATION

- a. ☐ Amendment changing number of claims or deleting multiple dependencies is enclosed.
- b. ☒ Cancel in this application original Claims 2-11 of the prior application before calculating the filing fee.

#### CLAIMS AS FILED

	Number Filed	Number Extra	Rate	Basic Fee (\$690)
Total Claims	1 - 20	* 0	x \$18.00	0
Independent Claims	1 - 3	* 0	x \$78.00	0
<input type="checkbox"/> Multiple dependent claim(s), if any			\$260.00	0

\*If less than zero, enter "0".

Filing Fee Calculation . . . . . \$690.00

50% Filing Fee Reduction (if applicable) . . . . . \$

#### 15. Small Entity Status

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ is no longer claimed.

#### 16. Other Fees

- ☐ Recording Assignment [\$40.00] . . . . . \$
- ☐ Other fees
- ☐ Specify \_\_\_\_\_ \$

Total Fees Enclosed . . . . . \$690.00

#### 17. Payment of Fees

- ☒ Check(s) in the amount of \$ 690.00 enclosed.
- ☐ Charge Account No. 12-1420 in the amount of \$\_\_.
- A duplicate of this transmittal is attached.**

#### 18. All correspondence regarding this application should be forwarded to the undersigned attorney:

Charles P. Sammut  
Limbach & Limbach L.L.P.  
2001 Ferry Building  
San Francisco, CA 94111  
Telephone: 415/433-4150  
Facsimile: 415/433-8716

#### 19. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 12-1420. **A duplicate of this transmittal is attached.**

LIMBACH & LIMBACH L.L.P.

March 3, 2000  
(Date)

Attorney Docket No. SONY-C7751  
[S97P751US00]

By: Charles P. Sammut  
Charles P. Sammut  
Registration No. 28,901  
Attorney(s) or Agent(s) of Record